



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

March 07, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**CONSTRUCTION-RELATED CONTRACTS
WATER RESOURCES CORE SERVICE AREA
ON-CALL EMERGENCY WATER DISTRIBUTION SYSTEM REPAIR PROGRAM AWARD
AGREEMENTS DELEGATING AUTHORITY TO THE DIRECTOR OF PUBLIC WORKS TO
ORDER EMERGENCY WORK
(ALL SUPERVISORIAL DISTRICTS)
(4 VOTES)**

SUBJECT

Public Works is seeking Board approval to execute three agreements to provide On-Call Emergency Water Distribution System Repair Program services that will provide repair crew(s), appropriate equipment, and materials in response to emergencies arising from failures in water facilities owned, operated, or administered by the County of Los Angeles; and to delegate authority to the Director of Public Works to order such emergency work.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed action is not a project under the California Environmental Quality Act for the reasons stated in this Board letter and the record.
2. Award and delegate authority to the Director of Public Works or his designee to execute agreements with each of the following two small-sized firms, Cedro Construction, Inc. and Mike Bubalo Construction Co., Inc. and one large-sized firm, W.A. Rasic Construction Company, Inc., for the three-year terms, with a not-to-exceed aggregate program annual amount of \$1 million plus two one-year options for a total aggregate program amount of \$5 million. These consultant services agreements will be subject to the additional extension provisions specified below.

3. Delegate authority to the Director of Public Works or his designee to administer the agreements and at the discretion of the Director of Public Works or his designee to exercise the options extending these agreements for the two one-year extension options based upon project demands and the level of satisfaction with the services provided with no change to initial not-to exceed contract amount.
4. Delegate authority to the Director of Public Works or his designee to supplement the initial not-to-exceed aggregate program amount of \$5 million up to 25 percent of the original program amount based on workload requirements.
5. Delegate authority to the Director of Public Works or his designee for each of the three agreements to authorize additional services and extend the contract expiration dates as necessary to complete additional services when those additional services are: (1) previously unforeseen, (2) related to a previously assigned scope of work on a given project, and (3) are necessary for the completion of that given project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to provide emergency response repair crew(s), appropriate equipment, and materials in response to emergencies arising from critical threats to operations of water systems owned, operated, or administered by Los Angeles County.

The work to be performed will consist of emergency repair of water mains and water service connections: meters, fire hydrants, valves, couplings, flanges, and other components. In addition, repairs may include new paving, surfacing work, rebuilding slopes, retaining walls, fencing, trenching, shoring, and welding. All work shall comply with all applicable laws and requirements of Federal, State, County, or other local regulatory agencies. The emergency work shall comply with the applicable provisions of the Public Contract Code. Public Works has contracted for these services since 1995.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability and Objectives III.3.1 Maximize Revenue and III.3.2 Manage and Maximize County Assets. The recommended action will ensure proper water distribution system repairs to minimize water losses, maximize revenue, and maximize Los Angeles County assets.

FISCAL IMPACT/FINANCING

The contracts will be for a not-to-exceed aggregate program annual amount of \$1 million plus 25 percent for additional work within the scope of the contract. The maximum potential total aggregate program sum will be \$6.25 million. This amount is based on the hourly rates quoted by the contractors and Public Works estimated annual utilization of the contractor's services.

It is expected that the initial three-year term of the contracts will start during Fiscal Year 2022-23 and conclude in Fiscal Year 2025-26. The two one-year extension options, if exercised, would be operative through Fiscal Year 2027-28. If the 25 percent supplement is exercised by Public Works, a notification will be made to the Board.

Total expenditures for these services will not exceed the maximum potential total aggregate program sum approved by the Board. Services may be ordered for and subsequently funded by various Public Works administered funds. Sufficient funding is included in various Public Works Funds (Services and Supplies) Fiscal Year 2022-23 Budgets. Funds to finance the remainder of the contract terms and the two one-year extension options will be requested through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard services contract, in the form previously approved by County Counsel, will be used. The emergency water distribution system repair services contracts will contain terms and conditions in compliance with the Chief Executive Officer's and the Board's requirements. The services agreements also include a provision requiring the consultant firms track subcontractors' utilization of Local Small Business Enterprise (LSBE), Disabled Veteran Business Enterprise, and Social Enterprise businesses.

The contractors were selected upon final analysis and consideration without regard to race, creed, gender, or color. The attached spreadsheet (Enclosure A) reflects the contractors' minority participation and Community Business Enterprise participation data. California Public Contract Code Section 22050(a)(1) provides that "in case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts." Section 22050(b) authorizes the governing body to delegate this authority, by resolution, to a designated County officer provided that the officer reports to the governing body, not later than seven days or at the governing body's next regularly scheduled meeting, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids, and why the action taken is necessary to respond to the emergency. The Board is required to review the emergency action every 14 days pursuant to Section 22050(c)(2) to determine by a four-fifths vote that there is a need to continue the action unless the emergency work is otherwise terminated.

On August 22, 2006, the Board, acting as the governing body of the Los Angeles County Waterworks Districts (Districts), approved a resolution (Enclosure B) delegating authority to order emergency work to the Director of Public Works for water distribution systems within the various districts. On February 5, 2019, the Board approved a second resolution (Enclosure C) to extend that same delegation to the Director of Public Works for water distribution systems owned, operated, or administered by the Los Angeles County, which are not within one of the districts.

These contracted repair services will be utilized only where there is an emergency as defined in Section 1102 of the Public Contract Code where immediate action is required to prevent or mitigate the loss or impairment of life, health, property, or essential public services, and County forces are unable to perform the emergency work.

ENVIRONMENTAL DOCUMENTATION

The award of this contract is not a project because it is an activity excluded from the definition of project by Section 15378(b) of the California Environmental Quality Act (CEQA). Prior to directing any work to be performed under the agreements, the Director of Public Works or his designee will determine whether the work is exempt pursuant to Section 15269 of the CEQA Guidelines, and Public Works will only proceed with such work if it is determined the exemption applies.

CONTRACTING PROCESS

On July 13, 2022, Public Works issued a Request for Proposals (RFP) for the On-Call Emergency Water Distribution System Repair Program. Two proposals were received for this solicitation. Public Works cancelled this solicitation due to an insufficient response. The two proposers were notified of the cancellation on September 8, 2022. On September 15, 2022, Public Works reissued an RFP for these services. Additional outreach was conducted, which consisted of notifying the current contractors, posting the RFP on the County's "Doing Business with Los Angeles County" website (Enclosure D) and Public Works' "Do Business with Public Works" website, and advertisements were placed in the Los Angeles Daily Journal, Los Angeles Sentinel, and La Opinion, Pasadena Star-News, Long Beach Press-Telegram, San Gabriel Valley Tribune, Santa Monica Daily Press, Daily Breeze, The Signal, and the World Journal newspapers. Also, Public Works informed over 1,442 LSBE, 155 Disabled Veteran Business Enterprises, and 158 Social Enterprises about this business opportunity. Eight firms registered on Public Works' website for this RFP.

On October 13, 2022, a total of four proposals were received. One proposal was disqualified for being nonresponsive. An evaluation committee consisting of Public Works technical staff evaluated the proposals based on criteria described in the RFP, including technical expertise, price, proposed workplan, experience, personnel, qualifications, and understanding of the work requirements. The evaluations were completed without regard to race, creed, color, or gender. Based on the evaluation of the proposals, the following firms were selected: two small-sized firms, Cedro Construction, Inc. and Mike Bubalo Construction Co., Inc. and one large-sized firm, W.A. Rasic Construction Company, Inc. The selected firms are qualified to provide the required services. Public Works has determined the firms' proposed rates for performing the services are reasonable.

The three-year contracting history for the three selected firms is on file with Public Works.

Public Works has evaluated and determined the Los Angeles County Code, Chapter 2.201 (Living Wage Program), does not apply to the recommended contracts. These emergency water distribution system repair services contracts are exempt from the requirements of Proposition A because the services are required on a part-time and intermittent basis.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects as a result of authorizing the recommended emergency water distribution system repair services contracts. These contracts will provide necessary emergency water distribution system repair services in an efficient manner by enhancing the delivery of Public Works' and the Districts' missions.

CONCLUSION

Please return an adopted copy of this letter to Public Works, Waterworks Division.

The Honorable Board of Supervisors

3/7/2023

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" and last name "Pestrella" clearly distinguishable.

MARK PESTRELLA, PE

Director

MP:RB:tr

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel (Tiffani Shin)
Executive Office

**PROPOSERS' UTILIZATION PARTICIPATION AND COMMUNITY BUSINESS ENTERPRISE PROGRAM INFORMATION FOR
ON-CALL EMERGENCY WATER DISTRIBUTION SYSTEM REPAIR PROGRAM**

SELECTED FIRMS

	Small-Sized Business Category Proposer Name	Local SBE	SBE	Minority	Women	Disadvantaged	DisabledVet	LGBTQQ
1	Cedro Construction, Inc.							
	Hardy and Harper, Inc.							
2	Mike Bubalo Construction Co., Inc.							
	N/A							
	Medium-Sized Business Category Proposer Name	Local SBE	SBE	Minority	Women	Disadvantaged	DisabledVet	LGBTQQ
	N/A							
	Large-Sized Business Category Proposer Name	Local SBE	SBE	Minority	Women	Disadvantaged	DisabledVet	LGBTQQ
3	W.A. Rasic Construction Company, Inc.							
	3531 Transportation, Inc.						X	
	Ayala Boring, Inc.			X				
	Koppl Pipeline Services, Inc.				X			
	Miranda Logistics Enterprises			X				
	Mission Paving and Sealing			X				
	Reynaga Transportation, Inc.	X	X	X				
	Strive Concrete Cutting			X				
	Tom Grabavac & Sons, Inc.				X			
	Western Paving Contractors			X				

NON-SELECTED FIRMS

	Small-Sized Business Category Proposer Name	Local SBE	SBE	Minority	Women	Disadvantaged	DisabledVet	LGBTQQ
1	Williams Pipeline Contractors, Inc.	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Medium-Sized Business Category Proposer Name	Local SBE	SBE	Minority	Women	Disadvantaged	DisabledVet	LGBTQQ
1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Large-Sized Business Category Proposer Name	Local SBE	SBE	Minority	Women	Disadvantaged	DisabledVet	LGBTQQ
1	All Selected	N/A	N/A	N/A	N/A	N/A	N/A	N/A

FIRM INFORMATION*		Cedro Construction, Inc.	Mike Bubalo Construction Co., Inc.	W.A. Rasic Construction Company, Inc.				
BUSINESS STRUCTURE		CORP	CORP	CORP				
CULTURAL/ETHNIC COMPOSITION		NUMBER/% OF OWNERSHIP						
OWNERS/PARTNERS	Black/African American	0	0	0				
	Hispanic/Latino	0	0	0				
	Asian or Pacific Islander	0	0	0				
	American Indian	0	0	1				
	Filipino	0	0	0				
	White	1	2	3				
	Female (included above)	0	0	0				
		NUMBER of Employees						
MANAGER	Black/African American	0	0	1				
	Hispanic/Latino	0	0	62				
	Asian or Pacific Islander	0	0	4				
	American Indian	0	0	0				
	Filipino	0	0	0				
	White	1	4	41				
	Female (included above)	0	0	7				
STAFF	Black/African American	0	1	3				
	Hispanic/Latino	6	8	276				
	Asian or Pacific Islander	0	0	10				
	American Indian	0	0	0				
	Filipino	0	0	0				
	White	2	4	66				
	Female (included above)	1	1	20				
Total No. of Employees		9	17	463				
COUNTY CERTIFICATION								
CBE		N/A	N/A	N/A				
LSBE		N/A	N/A	N/A				
OTHER CERTIFYING AGENCY		N/A	N/A	N/A				

*Information provided by proposers in response to the Request for Proposal. On final analysis and consideration of award, vendors were selected without regard to race, creed, gender, or color.

A RESOLUTION OF THE BOARD OF SUPERVISORS
ACTING AS THE GOVERNING BODY OF THE
LOS ANGELES COUNTY WATERWORKS DISTRICTS NOS. 21, 29, 36, 37, AND 40,
AND THE MARINA DEL REY WATER SYSTEM
DELEGATING AUTHORITY TO ORDER EMERGENCY WORK TO
THE DIRECTOR OF PUBLIC WORKS

WHEREAS, Public Contract Code Section 22050 authorizes the governing body of a public agency, in the case of an emergency, to repair or replace a public facility, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, Public Contract Code Section 22050 authorizes the governing body, by a four-fifths vote, to delegate authority to an appropriate officer of the agency to order such actions; and

WHEREAS, it is in the public interest for the Los Angeles County Waterworks Districts and the Marina Del Rey Water System to be able to respond to emergency conditions as quickly and as effectively as possible; and

WHEREAS, the delegation of authority to the Director of Public Works, to order emergency work, as described in Public Contract Code Section 22050, will enhance the ability of the Los Angeles County Waterworks Districts and the Marina Del Rey Water System to take the necessary actions in response to emergency conditions as quickly and as effectively as possible.

NOW, THEREFORE, THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICTS NOS. 21, 29, 36, 37, AND 40, AND THE MARINA DEL REY WATER SYSTEM HEREBY RESOLVES AS FOLLOWS:

1. The Director of Public Works of the County of Los Angeles shall be authorized, in the case of an emergency as defined in Section 1102 of the Public Contract Code, to order the repair or replacement of any facility of the Los Angeles County Waterworks Districts and the Marina Del Rey Water System, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for such purposes, without giving notice for bids to let contracts.

2. When the Director orders any action pursuant to the authority delegated by this resolution, the Director shall report to the Board, not later than seven days after the action, or at the Board's next regularly scheduled meeting, if that meeting will occur not later than 14 days after the action, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids, and why the action is necessary to respond to the emergency, unless the Director has terminated that action prior to that time.

The foregoing Resolution was on the 22nd day of August, 2006,
adopted by the Board of Supervisors acting as the governing board of the Los Angeles
County Waterworks Districts and the Marina Del Rey Water System.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By

Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By

Deputy

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**RESOLUTION OF THE BOARD OF SUPERVISORS
DELEGATING AUTHORITY TO THE DIRECTOR OF PUBLIC WORKS
TO ORDER EMERGENCY WORK ON WATER FACILITIES OWNED, OPERATED,
OR ADMINISTERED BY THE COUNTY OF LOS ANGELES**

WHEREAS, Public Contract Code Section 22050 authorizes the governing body of a public agency, in the case of an emergency, to repair or replace a public facility, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for those purposes without giving notice for bids to let contracts; and

WHEREAS, Public Contract Code Section 22050 authorizes the governing body, by a four-fifths vote, to delegate authority to an appropriate officer of the agency to order such actions; and

WHEREAS, on August 3, 2006, the Board of Supervisors acting as the governing body of the Los Angeles County Waterworks District Nos. 21, 29, 36, 37, and 40, delegated authority to the Director of Public Works, in the case of an emergency as defined in Section 1102 of the Public Contract Code, to order the repair or replacement of any facility of the Los Angeles County Waterworks Districts and in the Marina del Rey Water System, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for such purposes, without giving notice for bids to let contracts.

WHEREAS, in addition to the Marina del Rey Water System, there are other water facilities owned, operated, or administered by the County of Los Angeles, which are not within a Waterworks District, including but not limited to the Rancho Los Amigos National Rehabilitation Center water system and the Sativa Los Angeles County Water District.

WHEREAS, the delegation of authority to the Director of Public Works or his designee, to order emergency work, as described in Public Contract Code Section 22050, for these water facilities owned, operated, or administered by the County of Los Angeles will enhance Public Works' ability to take the necessary actions as quickly and as effective as possible in response to emergencies arising from failures of these water facilities.

NOW, THEREFORE, THE BOARD OF SUPERVISORS RESOLVES AS FOLLOWS:

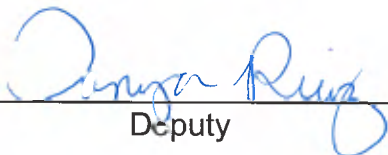
1. The Director of Public Works or his designee shall be authorized, in the case of an emergency as defined in Section 1102 of the Public Contract Code, to order the repair or replacement of any water facilities owned, operated, or administered by the County of Los Angeles, to take any directly related and immediate action required by that emergency, and to

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The foregoing resolution was adopted on the 5th day of February, 2019, by the Board of Supervisors of the County of Los Angeles.




CELIA ZAVALA
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By 
Deputy



Los Angeles County Solicitations



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Solicitation Number: *	BRC0000393	Type: *	Service
Department: *	Public Works	Amount \$:	1000000.00
Open Date: *	9/15/2022	Open Continuous:	<input type="checkbox"/> (Check the box if the bid is for open continuous with no Close Date)
Close Date: *	10/13/2022	Close Time: *	Hour: 04 Minute: 00 PM
Title: *	On-Call Emergency Water Distribution System Repair Program		
Description: *	<p>The County of Los Angeles Department of Public Works (Public Works) is inviting proposals from qualified firms to provide On-Call Emergency Water Distribution System Repair work located at Los Angeles County Waterworks Districts and facilities owned, operated, or administered by the County of Los Angeles.</p> <p>The objective of this solicitation is to select qualified small, medium, and large size firms to provide the requested services. A total of up to 5 on-call contracts will be awarded from this solicitation; 2 small sized category firms, 2 medium sized category firms, and 1 large sized category firm.</p> <p>A pre-proposal virtual conference to answer questions concerning the project will be held on Thursday, September 29, 2022 at 10:00 a.m., via Microsoft Teams. A link will be posted to access the pre-proposal meeting on the day of the event.</p>		
Commodity/Service Code: *	91360	Attachment:	Number of files attached: 0
	Search and Add		Add/Delete File
Solicitation Amendment:	Number of amendments added: 0		
	Add/Update Amendment		

Contact Information

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Contact Phone: *	626 - 458 - 2540	Ext:	